

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
STANISLAV LEVIN,

Plaintiff,

-against-

CREDIT SUISSE INC., METROPOLITAN LIFE
INSURANCE COMPANY, and AON HEWITT, INC.

Defendants.
-----X

Civ. Act. No.: 11 CV 5252 (RJS)

NOTICE OF MOTION

DOCUMENT
ELECTRONICALLY FILED

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law simultaneously submitted herewith and upon all the papers and proceedings previously submitted herein, Defendant Metropolitan Life Insurance Company (“MetLife”) by its attorneys, Sedgwick LLP, will move this Court before the Hon. Richard J. Sullivan, U.S.D.J. at the Thurgood Marshall United States Courthouse, Southern District of New York, located at 40 Foley Square, Courtroom 905, New York, New York 10007, at a time and date to be designated by the Court, for an Order pursuant to Rule 56(e), FED. R. CIV. PROC., striking from plaintiff Stanislav Levin’s (“Levin”) Reply Memorandum of Law in further Support of his Motion for Leave to File a Third Amended Complaint dated June 26, 2013 (Doc No. 67) new arguments and allegations improperly asserted for the first time in this Reply in further support of his Motion for Leave to File a Third Amended Complaint; and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
July 12, 2013

Respectfully submitted,

s/

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CERTIFICATE OF SERVICE

I, Matthew P. Mazzola, hereby certify and affirm that a true and correct copy of the attached **Notice of Motion** was served **via ECF and Regular Mail** on July 12, 2013, upon the following:

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